



November 22, 2022

Via ECF

Magistrate Judge Jose R. Almonte
United States Magistrate Judge
United States District Court
District of New Jersey
50 Walnut Street, Room 4015
Newark, NJ 07101

Re: *Best Brands Consumer Products Inc. et al v. Kitchinventions, LLC*
Civil Action No. 21-cv-20023-JMV

Dear Magistrate Judge Almonte:

We represent Plaintiffs Best Brands Consumer Products Inc. and Best Brands Sales Company, LLC ("Best Brands"), and third party defendant Walmart in this matter.

In accordance with the Court's November 18, 2022 Order (Dkt. 98), we attach a Proposed Second Amended Scheduling Order which solely contains the schedule for the deadlines for the parties' Markman submissions agreed to during the in-person conferral on November 17th.

Since we were not able to obtain opposing counsel's final consent for a proposed Order containing a proposed procedure for a possible Markman hearing in accordance with Local Patent Rule 4.6, we pared down the Order to only include the agreed-to dates. However, we have been unable to get final consent to this pared-down proposed Order. Mr. Klema informed us late today that he would be traveling most of the balance of the day, and therefore, would be unavailable. Ms. Alle-Murphy has not responded to our request.

Thus, in an effort to avoid missing the Court's deadline we felt compelled to file a pared-down Order that only contained the agreed-to dates.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Lee A. Goldberg

Lee A. Goldberg

cc: Griffin C. Klema (via ECF)
Linda Biruta Alle-Murphy (via ECF)